

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

LOCATION SERVICES IP, LLC,  Plaintiff,  v.  JP MORGAN CHASE & CO. et al.,  Defendant.	Civil Action No. 2:15-cv-00435-JRG <b><u>LEAD CASE</u></b>
v.  CVS CAREMARK CORPORATION et al.	Civil Action No. 2:15-cv-00436-JRG

**PLAINTIFF’S ANSWER TO THE CVS’S COUNTERCLAIMS**

Plaintiff/Counter-Defendant Location Services IP, LLC (“LSIP”) files this Answer to the Counterclaims of Defendant CVS Pharmacy, Inc. (“CVS”) (Doc 10 in the 436 case). LSIP responds to the allegations in the Counterclaims by identically numbered paragraph as follows:

1. Admitted that CVS purports to seek declaratory relief. Denied that CVS is entitled to any such relief.
2. Admitted as to subject matter jurisdiction over counterclaims. Denied as to merits of counterclaims.
- 3-4. Admitted.
5. Admitted as to subject matter jurisdiction over counterclaims. Denied as to merits of counterclaims.
6. Admitted there is a justiciable controversy for purposes of subject matter jurisdiction over counterclaims. Denied as to merits of counterclaims.
7. Admitted.

8. Admitted that LSIP chose this venue. Denied that the venue is inconvenient. Admitted as to venue over counterclaims. Denied as to merits of counterclaims.
9. LSIP incorporates its answers to paragraphs 1-8 above.
10. Admitted.
11. Denied.
12. Admitted there is a justiciable controversy for purposes of subject matter jurisdiction over counterclaims. Denied as to merits of counterclaims.
13. Denied.
14. LSIP incorporates its answers to paragraphs 1-13 above.
15. Admitted there is a justiciable controversy for purposes of subject matter jurisdiction over counterclaims. Denied as to merits of counterclaims. Denied that the patent is invalid.
- 16-17. Denied.
18. LSIP incorporates its answers to paragraphs 1-17 above.
19. Admitted.
20. Denied.
21. Admitted there is a justiciable controversy for purposes of subject matter jurisdiction over counterclaims. Denied as to merits of counterclaims.
22. Denied.
23. LSIP incorporates its answers to paragraphs 1-22 above.
24. Admitted there is a justiciable controversy for purposes of subject matter jurisdiction over counterclaims. Denied as to merits of counterclaims. Denied that the patent is invalid.
- 25-26. Denied.
27. LSIP incorporates its answers to paragraphs 1-26 above.

28. Admitted.
29. Denied.
30. Admitted there is a justiciable controversy for purposes of subject matter jurisdiction over counterclaims. Denied as to merits of counterclaims.
31. Denied.
32. LSIP incorporates its answers to paragraphs 1-31 above.
33. Admitted there is a justiciable controversy for purposes of subject matter jurisdiction over counterclaims. Denied as to merits of counterclaims. Denied that the patent is invalid.
- 34-35. Denied.
36. Admitted this is an exceptional case, but only insofar as LSIP should receive an exceptional case finding against Yahoo. Otherwise, denied.
37. To the extent necessary, LSIP denies that CVS is entitled to the relief requested in its prayer for relief. In addition, to the extent necessary, LSIP generally denies any allegation in the counterclaim not specifically admitted above, and LSIP re-alleges infringement, validity and damages, and denies any allegations in the counterclaims adverse to same.

#### **PRAYER FOR RELIEF**

WHEREFORE, LSIP respectfully requests that this Court enter judgment denying and dismissing CVS's counterclaims, and that the Court enter judgment in favor of LSIP as requested in LSIP's complaint, as amended or supplemented.

July 6, 2015

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

The undersigned certifies that all counsel of record who have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on this date. Any other counsel of record will be served by first class mail.

July 6, 2015

/s/ John J. Edmonds  
John J. Edmonds